

PHARMACY BOARD[657]

Adopted and Filed

Pursuant to the authority of Iowa Code section 147.76, the Board of Pharmacy hereby amends Chapter 19, “Nonresident Pharmacy Practice,” Iowa Administrative Code.

The amendment reorganizes the provisions of rule 657—19.2(155A) into subrules, requires notification to Iowa patients when a nonresident pharmacy intends to cease business in Iowa, and provides that a nonresident pharmacy may not cancel its license as a means of avoiding disciplinary action.

Requests for waiver or variance of the discretionary provisions of these rules will be considered pursuant to 657—Chapter 34.

Notice of Intended Action was published in the October 1, 2014, Iowa Administrative Bulletin as **ARC 1651C**. The Board received no written comments regarding the proposed amendments. The Board, however, removed from the initially proposed amendments the requirement that a nonresident pharmacy comply with the rules in Chapter 13 for sterile compounding. The Board is proposing in **ARC 1791C** herein a Notice of Intended Action that would rescind Chapter 13, effectively negating the need for the amendment proposed in Item 2 of **ARC 1651C**. The amendment to rule 657—19.2(155A) adopted in this rule making is identical to that published under Notice of Intended Action.

The amendment was approved during the November 19, 2014, meeting of the Board of Pharmacy.

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code sections 155A.13A and 155A.19.

This amendment will become effective on January 14, 2015.

The following amendment is adopted.

Amend rule 657—19.2(155A) as follows:

657—19.2(155A) Application and license requirements. A nonresident pharmacy shall apply for and obtain, pursuant to provisions of 657—8.35(155A), a nonresident pharmacy license from the board prior to providing prescription drugs, devices, or pharmacy services to an ultimate user in this state.

19.2(1) Pharmacy license changes. Change of pharmacy name, ownership, location, or pharmacist in charge shall require a new completed application and license fee pursuant to 657—subrule 8.35(6).

19.2(2) Pharmacy discontinuing Iowa operations. A nonresident pharmacy intending to close or discontinue provision of prescription drugs, devices, and pharmacy services to Iowa patients shall notify the board and Iowa patients as provided in 657—subrule 8.35(7). The license of a nonresident pharmacy that provides such notice of intent to close or discontinue provision of services to patients in Iowa and that has returned to the board the nonresident pharmacy’s Iowa pharmacy license certificate shall be administratively canceled within 30 days of the board’s receipt of the notice and license certificate. A nonresident pharmacy licensee that is under investigation or pending administrative charges shall not be permitted to cancel the nonresident pharmacy license in lieu of discipline.

[Filed 11/19/14, effective 1/14/15]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 12/10/14.